IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.3664 OF 2006

Mrs.Manisha S.Joshi .. Petitioner
V/s
Mr.Sameer M.Joshi .. Respondent

Mr.S.N.Chandrachud for the Petitioner.

CORAM : DR.S.RADHAKRISHNAN, J.
DATE : 10th November, 2006.

P.C.:

1. Heard the learned Counsel for the Petitioner. By this petition, the Petitioner is challenging the order dated 18th April, 2006 whereby the learned Family Court has rejected the application of the Petitioner for re-cross examination of the witness. Perused the said order. There is no illegality or perversity in the said order of the Family Court. Even the judgment in the case of **Balkrishna Shivappa Shetty V/s.Mahesh Nenshi Bhakta reported in 2003 (3) Mh.L.J.47.**, which is quoted in the said order of the Family Court, makes it clear that the provisions under Order 18 Rule 17 of the Code of Civil Procedure do not empower the Court to recall the witness for the purpose of cross examination by either of the parties, though it does permit recall of witnesses for the purpose of examination by the Court itself.

2. Hence, the Petition stands dismissed.

(DR.S.RADHAKRISHNAN,J.)